

STATE OF MARYLAND

*

v.

*

IN THE CIRCUIT COURT FOR
FREDERICK COUNTY, MARYLAND

MICHAEL DAVID BURNS

*

*

Case No.

*

Tracking No. 17-7010-00379-6

C10CR23-000638

CRIMINAL INFORMATION

COUNT 1—WANTON TRESPASS ON PRIVATE PROPERTY

Carly Gibson, Assistant State's Attorney for Frederick County, Maryland, upon her official oath, does inform the Court that MICHAEL DAVID BURNS, on or about November 12, 2022, in Frederick County, Maryland unlawfully did enter upon the private property, and premises of Eric Vinores and Tracy Pleasants after having been duly notified not to do so by Eric Vinores and Tracy Pleasants, the owners, in violation of CR § 6-403 of the Annotated Code of Maryland; contrary to the form of the Act of Assembly in such cases made and provided and against the peace, government, and dignity of the State. (Criminal Law Article, Section 6-403(a), CJIS Code 2_2220)

COUNT 2—HATE CRIME: CRIME MOTIVATED IN WHOLE OR IN SUBSTANTIAL

PART BY ANOTHER PERSON'S SEXUAL ORIENTATION

And, Carly Gibson, Assistant State's Attorney for Frederick County, Maryland, upon her official oath, does inform the Court that MICHAEL DAVID BURNS, on or about November 12, 2022, in Frederick County, Maryland unlawfully did commit a crime to wit: wanton trespass on private property against Eric Vinores, motivated either in whole or substantial part by a person's sexual orientation, in violation of CR § 10-304 of the Annotated Code of Maryland; contrary to the form of the Act of Assembly in such cases made and provided and against the peace,

government, and dignity of the State. (Criminal Law Article, Section 10-304(1)(i), CJIS Code 1_0437)

COUNT 3—HATE CRIME: CRIME MOTIVATED IN WHOLE OR IN SUBSTANTIAL
PART BY ANOTHER PERSON’S SEXUAL ORIENTATION

And, Carly Gibson, Assistant State’s Attorney for Frederick County, Maryland, upon her official oath, does inform the Court that MICHAEL DAVID BURNS, on or about November 12, 2022, in Frederick County, Maryland unlawfully did commit a crime to wit: wanton trespass on private property against Tracy Pleasants, motivated either in whole or substantial part by a person’s sexual orientation, in violation of CR § 10-304 of the Annotated Code of Maryland; contrary to the form of the Act of Assembly in such cases made and provided and against the peace, government, and dignity of the State. (Criminal Law Article, Section 10-304(1)(i), CJIS Code 1_0437)

COUNT 4—DISORDERLY CONDUCT

And, Carly Gibson, Assistant State’s Attorney for Frederick County, Maryland, upon her official oath, does inform the Court that MICHAEL DAVID BURNS, on or about November 23, 2022, in Frederick County, Maryland unlawfully did enter the land of Eric Vinores and Tracy Pleasants, and did willfully disturb the peace of persons thereon by unreasonably acting in disorderly manner, in violation of CR § 10-201 of the Annotated Code of Maryland; contrary to the form of the Act of Assembly in such cases made and provided and against the peace, government, and dignity of the State. (Criminal Law Article, Section 10-201(c)(4)(ii), CJIS Code 2_0060)

COUNT 5—HATE CRIME: CRIME MOTIVATED IN WHOLE OR IN SUBSTANTIAL

PART BY ANOTHER PERSON’S SEXUAL ORIENTATION

And, Carly Gibson, Assistant State’s Attorney for Frederick County, Maryland, upon her official oath, does inform the Court that MICHAEL DAVID BURNS, on or about November 23, 2022, in Frederick County, Maryland unlawfully did commit a crime to wit: disorderly conduct against Eric Vinos, motivated either in whole or substantial part by a person’s sexual orientation, in violation of CR § 10-304 of the Annotated Code of Maryland; contrary to the form of the Act of Assembly in such cases made and provided and against the peace, government, and dignity of the State. (Criminal Law Article, Section 10-304(1)(i), CJIS Code 1_0437)

COUNT 6—HATE CRIME: CRIME MOTIVATED IN WHOLE OR IN SUBSTANTIAL

PART BY ANOTHER PERSON’S SEXUAL ORIENTATION

And, Carly Gibson, Assistant State’s Attorney for Frederick County, Maryland, upon her official oath, does inform the Court that MICHAEL DAVID BURNS, on or about November 23, 2022, in Frederick County, Maryland unlawfully did commit a crime to wit: disorderly conduct against Tracy Pleasants, motivated either in whole or substantial part by a person’s sexual orientation, in violation of CR § 10-304 of the Annotated Code of Maryland; contrary to the form of the Act of Assembly in such cases made and provided and against the peace, government, and dignity of the State. (Criminal Law Article, Section 10-304(1)(i), CJIS Code 1_0437)

COUNT 7—DISORDERLY CONDUCT

And, Carly Gibson, Assistant State’s Attorney for Frederick County, Maryland, upon her official oath, does inform the Court that MICHAEL DAVID BURNS, on or about November 25,

2022, in Frederick County, Maryland unlawfully did enter the land of Eric Viores and Tracy Pleasants, and did willfully disturb the peace of persons thereon by unreasonably acting in disorderly manner, in violation of CR § 10-201 of the Annotated Code of Maryland; contrary to the form of the Act of Assembly in such cases made and provided and against the peace, government, and dignity of the State. (Criminal Law Article, Section 10-201(c)(4)(ii), CJIS Code 2_0060)

COUNT 8—HATE CRIME: CRIME MOTIVATED IN WHOLE OR IN SUBSTANTIAL
PART BY ANOTHER PERSON’S SEXUAL ORIENTATION

And, Carly Gibson, Assistant State’s Attorney for Frederick County, Maryland, upon her official oath, does inform the Court that MICHAEL DAVID BURNS, on or about November 25, 2022, in Frederick County, Maryland unlawfully did commit a crime to wit: disorderly conduct against Eric Viores, motivated either in whole or substantial part by a person’s sexual orientation, in violation of CR § 10-304 of the Annotated Code of Maryland; contrary to the form of the Act of Assembly in such cases made and provided and against the peace, government, and dignity of the State. (Criminal Law Article, Section 10-304(1)(i), CJIS Code 1_0437)

COUNT 9—HATE CRIME: CRIME MOTIVATED IN WHOLE OR IN SUBSTANTIAL
PART BY ANOTHER PERSON’S SEXUAL ORIENTATION

And, Carly Gibson, Assistant State’s Attorney for Frederick County, Maryland, upon her official oath, does inform the Court that MICHAEL DAVID BURNS, on or about November 25, 2022, in Frederick County, Maryland unlawfully did commit a crime to wit: disorderly conduct against Tracy Pleasants, motivated either in whole or substantial part by a person’s sexual orientation, in violation of CR § 10-304 of the Annotated Code of Maryland; contrary to the

form of the Act of Assembly in such cases made and provided and against the peace, government, and dignity of the State. (Criminal Law Article, Section 10-304(1)(i), CJIS Code 1_0437)

COUNT 10—ILLEGAL DUMPING AND LITTERING OVER 100 POUNDS

And, Carly Gibson, Assistant State's Attorney for Frederick County, Maryland, upon her official oath, does inform the Court that MICHAEL DAVID BURNS, on or about November 25, 2022, in Frederick County, Maryland, did unlawfully dispose litter on and at 11224 Putman Road, Thurmont, Maryland, said litter exceeding 100 lbs in weight, in violation of CR § 10-110 of the Annotated Code of Maryland; contrary to the form of the Act of Assembly in such cases made and provided and against the peace, government, and dignity of the State. (Criminal Law Article, Section 10-110(f)(2)(ii), CJIS Code 1_0644)

COUNT 11—HATE CRIME: CRIME MOTIVATED IN WHOLE OR IN SUBSTANTIAL PART BY ANOTHER PERSON'S SEXUAL ORIENTATION

And, Carly Gibson, Assistant State's Attorney for Frederick County, Maryland, upon her official oath, does inform the Court that MICHAEL DAVID BURNS, on or about November 25, 2022, in Frederick County, Maryland unlawfully did commit a crime to wit: illegal dumping and littering over 100 pounds against Eric Vinos, motivated either in whole or substantial part by a person's sexual orientation, in violation of CR § 10-304 of the Annotated Code of Maryland; contrary to the form of the Act of Assembly in such cases made and provided and against the peace, government, and dignity of the State. (Criminal Law Article, Section 10-304(1)(i), CJIS Code 1_0437)

COUNT 12—HATE CRIME: CRIME MOTIVATED IN WHOLE OR IN SUBSTANTIAL
PART BY ANOTHER PERSON’S SEXUAL ORIENTATION

And, Carly Gibson, Assistant State’s Attorney for Frederick County, Maryland, upon her official oath, does inform the Court that MICHAEL DAVID BURNS, on or about November 25, 2022, in Frederick County, Maryland unlawfully did commit a crime to wit: illegal dumping and littering over 100 pounds against Tracy Pleasants, motivated either in whole or substantial part by a person’s sexual orientation, in violation of CR § 10-304 of the Annotated Code of Maryland; contrary to the form of the Act of Assembly in such cases made and provided and against the peace, government, and dignity of the State. (Criminal Law Article, Section 10-304(1)(i), CJIS Code 1_0437)

COUNT 13 – TRESPASS POSTED PROPERTY

And, Carly Gibson, Assistant State’s Attorney for Frederick County, Maryland, upon her official oath, does inform the Court that MICHAEL DAVID BURNS, on or about December 3, 2022, in Frederick County, Maryland, unlawfully did trespass and enter upon the property at 11224 Putman Road in Thurmont, Maryland, said property being posted against trespassers in a conspicuous manner, in violation of CR § 6-402 of the Annotated Code of Maryland; contrary to the form of the Act of Assembly in such cases made and provided and against the peace, government, and dignity of the State. (Criminal Law Article, Section 6-402, CJIS Code 2_2210)

COUNT 14—HATE CRIME: CRIME MOTIVATED IN WHOLE OR IN SUBSTANTIAL
PART BY ANOTHER PERSON’S SEXUAL ORIENTATION

And, Carly Gibson, Assistant State’s Attorney for Frederick County, Maryland, upon her official oath, does inform the Court that MICHAEL DAVID BURNS, on or about December 3, 2022, in Frederick County, Maryland unlawfully did commit a crime to wit: trespass on posted

property against Eric Vinores, motivated either in whole or substantial part by a person's sexual orientation, in violation of CR § 10-304 of the Annotated Code of Maryland; contrary to the form of the Act of Assembly in such cases made and provided and against the peace, government, and dignity of the State. (Criminal Law Article, Section 10-304(1)(i), CJIS Code 1_0437)

COUNT 15—HATE CRIME: CRIME MOTIVATED IN WHOLE OR IN SUBSTANTIAL
PART BY ANOTHER PERSON'S SEXUAL ORIENTATION

And, Carly Gibson, Assistant State's Attorney for Frederick County, Maryland, upon her official oath, does inform the Court that MICHAEL DAVID BURNS, on or about December 3, 2022, in Frederick County, Maryland unlawfully did commit a crime to wit: trespass on posted property against Tracy Pleasants, motivated either in whole or substantial part by a person's sexual orientation, in violation of CR § 10-304 of the Annotated Code of Maryland; contrary to the form of the Act of Assembly in such cases made and provided and against the peace, government, and dignity of the State. (Criminal Law Article, Section 10-304(1)(i), CJIS Code 1_0437)

COUNT 16—MALICIOUS DESTRUCTION OF PROPERTY LESS THAN \$1,000

And, Carly Gibson, Assistant State's Attorney for Frederick County, Maryland, upon her official oath, does inform the Court that MICHAEL DAVID BURNS, on or about January 7, 2023, in Frederick County, Maryland, unlawfully did willfully and maliciously destroy a trail camera, the personal property of Eric Vinores and Tracy Pleasants, in violation of CR § 6-301 of the Annotated Code of Maryland; contrary to the form of the Act of Assembly in such cases made and provided and against the peace, government, and dignity of the State. (Criminal Law Article, Section 6-301(e), CJIS Code 3_4025)

COUNT 17—HATE CRIME: CRIME MOTIVATED IN WHOLE OR IN SUBSTANTIAL
PART BY ANOTHER PERSON’S SEXUAL ORIENTATION

And, Carly Gibson, Assistant State’s Attorney for Frederick County, Maryland, upon her official oath, does inform the Court that MICHAEL DAVID BURNS, on or about January 7, 2023, in Frederick County, Maryland unlawfully did commit a crime to wit: malicious destruction of property less than \$1,000 against Eric Vinoses, motivated either in whole or substantial part by a person’s sexual orientation, in violation of CR § 10-304 of the Annotated Code of Maryland; contrary to the form of the Act of Assembly in such cases made and provided and against the peace, government, and dignity of the State. (Criminal Law Article, Section 10-304(1)(i), CJIS Code 1_0437)

COUNT 18—HATE CRIME: CRIME MOTIVATED IN WHOLE OR IN SUBSTANTIAL
PART BY ANOTHER PERSON’S SEXUAL ORIENTATION

And, Carly Gibson, Assistant State’s Attorney for Frederick County, Maryland, upon her official oath, does inform the Court that MICHAEL DAVID BURNS, on or about January 7, 2023, in Frederick County, Maryland unlawfully did commit a crime to wit: malicious destruction of property less than \$1,000 against Tracy Pleasants, motivated either in whole or substantial part by a person’s sexual orientation, in violation of CR § 10-304 of the Annotated Code of Maryland; contrary to the form of the Act of Assembly in such cases made and provided and against the peace, government, and dignity of the State. (Criminal Law Article, Section 10-304(1)(i), CJIS Code 1_0437)

COUNT 19—USE OF ITEM OR SYMBOL TO THREATEN OR INTIMIDATE

And, Carly Gibson, Assistant State's Attorney for Frederick County, Maryland, upon her official oath, does inform the Court that MICHAEL DAVID BURNS, on or about January 7, 2023 to January 8, 2023, in Frederick County, Maryland, unlawfully did place an item to wit: a dildo, on the personal property of Eric Vinoses and Tracy Pleasants, without the express permission of the owner of the property, with the intent to intimidate a person, in violation of CR § 10-305.1 of the Annotated Code of Maryland; contrary to the form of the Act of Assembly in such cases made and provided against the peace, government, and dignity of the State. (Criminal Law Article, Section 10-305.1, CJIS Code 1_1675)

COUNT 20—HARASSMENT: A CONTINUING COURSE OF CONDUCT

And, Carly Gibson, Assistant State's Attorney for Frederick County, Maryland, upon her official oath, does inform the Court that MICHAEL DAVID BURNS, between the dates of November 12, 2022 and January 8, 2023, in Frederick County, Maryland, unlawfully did without a legal purpose, maliciously engage in a course of conduct that seriously annoyed Eric Vinoses, with intent to harass Eric Vinoses, after request to desist, in violation of CR § 3-803 of the Annotated Code of Maryland; contrary to the form of the Act of Assembly in such cases made and provided and against the peace, government, and dignity of the State. (Criminal Law Article, Section 3-803(a), CJIS Code 1_0191)

COUNT 21—HATE CRIME: CRIME MOTIVATED IN WHOLE OR IN SUBSTANTIAL

PART BY ANOTHER PERSON'S SEXUAL ORIENTATION

And, Carly Gibson, Assistant State's Attorney for Frederick County, Maryland, upon her official oath, does inform the Court that MICHAEL DAVID BURNS, between the dates of November 12, 2022 and January 8, 2023, in Frederick County, Maryland unlawfully did commit

a crime to wit: harassment against Eric Viores, motivated either in whole or substantial part by a person's sexual orientation, in violation of CR § 10-304 of the Annotated Code of Maryland; contrary to the form of the Act of Assembly in such cases made and provided and against the peace, government, and dignity of the State. (Criminal Law Article, Section 10-304(1)(i), CJIS Code 1_0437)

COUNT 22—HARASSMENT: A CONTINUING COURSE OF CONDUCT

And, Carly Gibson, Assistant State's Attorney for Frederick County, Maryland, upon her official oath, does inform the Court that MICHAEL DAVID BURNS, between the dates of November 12, 2022 and January 8, 2023, in Frederick County, Maryland, unlawfully did without a legal purpose, maliciously engage in a course of conduct that seriously annoyed Tracy Pleasants, with intent to harass Tracy Pleasants, after request to desist, in violation of CR § 3-803 of the Annotated Code of Maryland; contrary to the form of the Act of Assembly in such cases made and provided and against the peace, government, and dignity of the State. (Criminal Law Article, Section 3-803(a), CJIS Code 1_0191)

COUNT 23—HATE CRIME: CRIME MOTIVATED IN WHOLE OR IN SUBSTANTIAL
PART BY ANOTHER PERSON'S SEXUAL ORIENTATION

And, Carly Gibson, Assistant State's Attorney for Frederick County, Maryland, upon her official oath, does inform the Court that MICHAEL DAVID BURNS, between the dates of November 12, 2022 and January 8, 2023, in Frederick County, Maryland unlawfully did commit a crime to wit: harassment against Tracy Pleasants, motivated either in whole or substantial part by a person's sexual orientation, in violation of CR § 10-304 of the Annotated Code of Maryland; contrary to the form of the Act of Assembly in such cases made and provided and

against the peace, government, and dignity of the State. (Criminal Law Article, Section 10-304(1)(i), CJIS Code 1_0437)

A handwritten signature in black ink that reads "Carly Gibson". The signature is written in a cursive style with a horizontal line extending to the right.

CARLY GIBSON

ASSISTANT STATE'S ATTORNEY FOR
FREDERICK COUNTY, MARYLAND

CPF: 1912180071

FrederickSAOCircuit@frederickcountymd.gov

TO THE PERSON CHARGED:

1. This paper charges you with committing a crime.
2. If you have been arrested, you have the right to have a judicial officer decide whether you should be released from jail until trial.
3. If you have been served with a citation or summons directing you to appear before a judicial officer for a preliminary inquiry at a date and time designated or within five days of service if no time is designated, a judicial officer will advise you of your rights, the charges against you, and penalties. The preliminary inquiry will be cancelled if a lawyer has entered an appearance to represent you.
4. You have the right to have a lawyer.
5. A lawyer can be helpful to you by:
 - A. explaining the charges in this paper;
 - B. telling you the possible penalties;
 - C. helping you a trial;
 - D. helping you protect your constitutional rights, and,
 - E. helping you to get a fair penalty if convicted.
6. Even if you plan to plead guilty, a lawyer can be helpful.
7. If you are eligible, the Public Defender or a court-appointed attorney will represent you at any initial appearance before a judicial officer and at any proceeding under Rule 4-216.1 to review an order of a District Court commission regarding pretrial release. If you want a lawyer for any further proceeding, including trial, but do not have the money to hire one, the Public Defender may provide a lawyer for you. The court clerk will tell you how to contact the Public Defender.

8. If you want lawyer but you cannot get one and the Public Defender will not provide one for you, contact the court clerk as soon as possible.
9. **DO NOT WAIT UNTIL THE DATE OF YOUR TRIAL TO GET A LAWYER.** If you do not have a lawyer before the trial date, you may have to go to trial without one.

Identification Sheet

Name: **Michael David Burns**

Alias: **N/A**

Race: **W** Sex: **Male** DOB: **July 11, 1970**

Hair: **Bro** Eyes: **Blue**

Height: **6'00"** Weight: **200 lbs.**

Scars or Identifying Marks: **UNK**

Address: **11220C Putman Road**
Thurmont, MD 21788

Employment Address: **UNK**

Additional Information: **UNK**